

**SA 3797.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 171, strike lines 19 through 24 and insert the following:

canes of the 2005 season, \$6,300,000, to remain available until September 30, 2007, of which the Administrator of the Environmental Protection Agency, by not later than 60 days after the date of enactment of this Act, shall use \$300,000 to prepare and submit to Congress a report that describes the potential hazards posed by exposure to any hazardous substance, pollutant, or contaminant (including disease-causing organisms and mold) that may have been released or mobilized into the environment due to Hurricane Katrina or Hurricane Rita and methods by which the Administrator plans to mitigate those hazards: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

**SA 3798.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

**SEC. \_\_\_\_.** Any national service educational award described in subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.), made with funds appropriated to, funds transferred to, or interest accumulated in the National Service Trust, shall be known as a "Segal award".

**SA 3799.** Mr. INOUE (for himself, Mr. STEVENS, Mr. SHELBY, Mr. SARBANES, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 4939, making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

#### **TITLE —IMPROVED PUBLIC TRANSPORTATION SECURITY**

##### **SEC. —101. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This title may be cited as the "Public Transportation Terrorism Prevention Act of 2006".

(b) **TABLE OF CONTENTS.**—The table of contents for this title is as follows:

Sec. —101. Short title; table of contents.

Sec. —102. Findings and purpose.

Sec. —103. Security assessments.

Sec. —104. Security assistance grants.

Sec. —105. Intelligence sharing.

Sec. —106. Research, development, and demonstration grants.

Sec. —107. Reporting requirements.

Sec. —108. Authorization of appropriations.

Sec. —109. Sunset provision.

##### **SEC. —102. FINDINGS AND PURPOSE.**

(a) **FINDINGS.**—Congress finds that—

(1) public transportation systems throughout the world have been a primary target of terrorist attacks, causing countless death and injuries;

(2) 5,800 public transportation agencies operate in the United States;

(3) 14,000,000 people in the United States ride public transportation each work day;

(4) safe and secure public transportation systems are essential for the Nation's economy and for significant national and international public events;

(5) the Federal Transit Administration has invested \$74,900,000,000 since 1992 for construction and improvements to the Nation's public transportation systems;

(6) the Federal Government appropriately invested \$18,100,000,000 in fiscal years 2002 through 2005 to protect our Nation's aviation system and its 1,800,000 daily passengers;

(7) the Federal Government has allocated \$250,000,000 in fiscal years 2003 through 2005 to protect public transportation systems in the United States;

(8) the Federal Government has invested \$7.38 in aviation security improvements per passenger, but only \$0.007 in public transportation security improvements per passenger;

(9) the Government Accountability Office, the Mineta Institute for Surface Transportation Policy Studies, the American Public Transportation Association, and many transportation experts have reported an urgent need for significant investment in public transportation security improvements; and

(10) the Federal Government has a duty to deter and mitigate, to the greatest extent practicable, threats against the Nation's public transportation systems.

##### **SEC. —103. SECURITY ASSESSMENTS.**

(a) **PUBLIC TRANSPORTATION SECURITY ASSESSMENTS.**—

(1) **SUBMISSION.**—Not later than 30 days after the date of enactment of this Act, the Federal Transit Administration of the Department of Transportation shall submit all public transportation security assessments and all other relevant information to the Secretary of Homeland Security.

(2) **REVIEW.**—Not later than July 31, 2006, the Secretary of Homeland Security shall review and augment the security assessments received under paragraph (1).

(3) **ALLOCATIONS.**—The Secretary of Homeland Security shall use the security assessments received under paragraph (1) as the basis for allocating grant funds under section —104, unless the Secretary notifies the Committee on Banking, Housing, and Urban Affairs of the Senate that the Secretary has determined that an adjustment is necessary to respond to an urgent threat or other significant factors.

(4) **SECURITY IMPROVEMENT PRIORITIES.**—Not later than September 30, 2006, the Secretary of Homeland Security, after consultation with the management and employee representatives of each public transportation system for which a security assessment has been received under paragraph (1), shall establish security improvement priorities that will be used by public transportation agencies for any funding provided under section —104.

(5) **UPDATES.**—Not later than July 31, 2007, and annually thereafter, the Secretary of Homeland Security shall—

(A) update the security assessments referred to in this subsection; and

(B) conduct security assessments of all public transportation agencies considered to be at greatest risk of a terrorist attack.

(b) **USE OF SECURITY ASSESSMENT INFORMATION.**—The Secretary of Homeland Security shall use the information collected under subsection (a)—

(1) to establish the process for developing security guidelines for public transportation security; and

(2) to design a security improvement strategy that—

(A) minimizes terrorist threats to public transportation systems; and

(B) maximizes the efforts of public transportation systems to mitigate damage from terrorist attacks.

(c) **BUS AND RURAL PUBLIC TRANSPORTATION SYSTEMS.**—Not later than July 31, 2006, the Secretary of Homeland Security shall conduct security assessments, appropriate to the size and nature of each system, to determine the specific needs of—

(1) local bus-only public transportation systems; and

(2) selected public transportation systems that receive funds under section 5311 of title 49, United States Code.

##### **SEC. —104. SECURITY ASSISTANCE GRANTS.**

(a) **CAPITAL SECURITY ASSISTANCE PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Homeland Security shall award grants directly to public transportation agencies for allowable capital security improvements based on the priorities established under section —103(a)(4).

(2) **ALLOWABLE USE OF FUNDS.**—Grants awarded under paragraph (1) may be used for—

(A) tunnel protection systems;

(B) perimeter protection systems;

(C) redundant critical operations control systems;

(D) chemical, biological, radiological, or explosive detection systems;

(E) surveillance equipment;

(F) communications equipment;

(G) emergency response equipment;

(H) fire suppression and decontamination equipment;

(I) global positioning or automated vehicle locator type system equipment;

(J) evacuation improvements; and

(K) other capital security improvements.

(b) **OPERATIONAL SECURITY ASSISTANCE PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Homeland Security shall award grants directly to public transportation agencies for allowable operational security improvements based on the priorities established under section —103(a)(4).

(2) **ALLOWABLE USE OF FUNDS.**—Grants awarded under paragraph (1) may be used for—

(A) security training for public transportation employees, including bus and rail operators, mechanics, customer service, maintenance employees, transit police, and security personnel;

(B) live or simulated drills;

(C) public awareness campaigns for enhanced public transportation security;

(D) canine patrols for chemical, biological, or explosives detection;

(E) overtime reimbursement for enhanced security personnel during significant national and international public events, consistent with the priorities established under section —103(a)(4); and

(F) other appropriate security improvements identified under section —103(a)(4), excluding routine, ongoing personnel costs.

(c) **CONGRESSIONAL NOTIFICATION.**—Not later than 3 days before the award of any grant under this section, the Secretary of Homeland Security shall notify the Committee on Banking, Housing, and Urban Affairs of the Senate of the intent to award such grant.

(d) **PUBLIC TRANSPORTATION AGENCY RESPONSIBILITIES.**—Each public transportation agency that receives a grant under this section shall—

(1) identify a security coordinator to coordinate security improvements;

(2) develop a comprehensive plan that demonstrates the agency's capacity for operating and maintaining the equipment purchased under this section; and